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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,577	07/31/2003	Glen Hagood	800747	1576
23372 7590 08/21/2007 TAYLOR RUSSELL & RUSSELL, P.C. 4807 SPICEWOOD SPRINGS ROAD BUILDING TWO SUITE 250 AUSTIN, TX 78759			EXAMINER HALE, ADAM G	
			ART UNIT 3609	PAPER NUMBER
			MAIL DATE 08/21/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/604,577

Applicant(s)

HAGOOD, GLEN

Examiner

Adam G. Hale

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/26/2003 and 11/13/2003</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Objections

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

Specifically, the abstract contains 155 words. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. Claims 1 – 4, 6 – 12 and 14 – 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over www.adstx.com (version of website active on 6/08/2001 for pg. 1 and 8/12/2001 for pg. 2, accessed through archive.org)(hereinafter referred to as Ref. A) in view of Curiel US 5,913,543 (herein after referred to as Curiel).

5. With respect to claim 1, Ref. A discloses:

entering a name of a license applicant and a licensing agent into a computer system by a user via a user interface for obtaining a license; (interpreted to be inherently disclosed by the teaching of the ability of the system to capture customer information (Ref. A pg. 2 para. 2)

determining an expiration date of the license based on the current date by the computer system; (interpreted to be inherently disclosed by the teaching of the printed film that replaces hand-written information indicating the expiration date of the license)(Ref. A pg.1 para. 3)

entering a vehicle identification number into the computer system by the user via the user interface for accessing information on an identified vehicle from a database; (the reference discloses the ability of the dealership to capture and customer and vehicle information from each vehicle and owner at the time of sale, inherently disclosing the acquisition of a vehicle identification number of the vehicle to be license)(Ref. A pg.1 para. 2)

accessing information required by regulatory agencies on informational placards from a database by the computer system; (interpreted to be inherent in the disclosure of Ref. A where a dealership accesses a password protected

application to input information and print off labels for the temporary vehicle license plates)(Ref. A pg. 1 para.3)

securing the transparent label to a substrate by the user using adhesive means to form an informational placard (interpreted to be the application of the clear printed film to the red tag blank)(Ref. A pg.1 para. 3)

positioning the informational placard on the identified vehicle by the user (interpreted to be inherently disclosed, as the vehicle registration tag must be applied to the vehicle in order to be operable)(Ref. A)

the printing of a transparent label using a printer connected to the computer system and containing the license expiration date. (Ref. A pg.1 para. 3)

Ref. A does not disclose the transparent label containing vehicle identification number and information required by regulatory agencies and accessing that information. Curiel discloses additional information that may be inserted on a temporary license tag to include a vehicle identification number, make and year of the vehicle, and dealer identification (Curiel col. 2 lines 1 – 7). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the disclosure of Ref. A with the features of Curiel in order to provide a more efficient method and means for the generation of temporary vehicle license tags.

6. With respect to claim 2, Ref. A discloses:

entering a name of a license applicant comprises selecting the name of the license applicant from a list of license applicants presented to the user via the user interface, the list of applicants accessed from a database.

(interpreted to be inherently disclosed by the teaching of the ability of the system to capture customer information)(Ref. A pg. 2 para. 2)

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7. With respect to claim 3, Ref. A discloses:

entering a name of a licensing agent comprises selecting the name of the licensing agent from a list of licensing agents presented to the user via the user interface, the list of agents accessed from a database.

(interpreted to be a participating dealership logging into a password protected application on the internet to output clear printed film)(Ref. A pg. 1 para. 3).

8. With respect to claim 4, Ref. A discloses:

determining an expiration date further comprises adding a time duration period of the license determined by regulatory requirements to the current date.

(interpreted to be the automatic 21-day calculating)(Ref. A pg. 2 para. 2).

9. With respect to claim 6, Ref A does not disclose:

accessing information is selected from the group consisting of accessing a license applicant's driver's permit number, accessing a licensing agent's permit number, accessing a name of a vehicle dealership, accessing a permit number of a vehicle dealership, and accessing a location of a vehicle dealership.

Curiel discloses additional information that may be inserted on a temporary license tag to include a vehicle identification number, make and year of the vehicle, and dealer identification (Curiel col. 2 lines 1 – 7). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the disclosure of Ref. A with the features of Curiel in order to provide a more efficient method and means for the generation of temporary vehicle license tags.

10. With respect to claim 7, Ref. A discloses:

printing a transparent label is selected from the group consisting of printing a transparent label on a laser printer and printing a transparent label on a thermal printer.

(interpreted to be the outputting via laser jet or ink jet print of clear printed film)(Ref. A pg. 1 para. 3).

11. With respect to claim 8, Ref. A discloses:

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positioning the transparent label to a substrate comprises positioning the transparent label on a substrate by aligning label printed characters with corresponding character positions imprinted on the substrate and securing the transparent label to the substrate using weatherproof adhesive means.

(interpreted to be inherently disclosed by way of the teaching of that the clear printed film that is applied to the red tag blank, as the disclosure of Ref. A also inherently teaches that the clear printed film is placed in such a manner as to be aligned with the characters on the tag blank and a weatherproof adhesive must be used as Ref. A inherently teaches that the tags are placed on the exterior of the vehicle and are therefore subjected to weather conditions)(Ref. A pg. 1 para. 3).

12. With respect to claim 9, Ref. A discloses:

positioning the informational placard is selected from the group consisting of positioning the informational placard in a license plate holder of the identified vehicle, positioning the informational placard in a window of the identified vehicle, and positioning the informational placard on a bumper of the identified vehicle.

(interpreted to be inherently disclosed by Ref. A the red tags in the disclosure must be placed in at least one of the claimed locations in order to be operable)(Ref. A pg. 1 para. 3).

13. With respect to claim 10, Ref. Discloses:

a user interface for entering a name of a license applicant and a licensing agent into a computer system by a user for obtaining a license;

(interpreted to be inherently disclosed by the teaching of the ability of the system to capture customer information (Ref. A pg. 2 para. 2)

computer means for determining an expiration date of the license based on the current date;

(interpreted to be inherently disclosed by the teaching of the printed film that replaces hand-written information indicating the expiration date of the license)(Ref. A

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pg.1 para. 3)

the user interface for entering a vehicle identification number into the computer system by the user for accessing information on an identified vehicle from a database;

(the reference discloses the ability of the dealership to capture and store customer and vehicle information from each vehicle and owner at the time of sale, inherently disclosing the acquisition of a vehicle identification number of the vehicle to be license)(Ref. A pg.1 para. 2)

computer means for accessing information required by regulatory agencies on informational placards from a database;

(interpreted to be inherent in the disclosure of Ref. A where a dealership accesses a password protected application to input information and print off labels for the temporary vehicle license plates)(Ref. A pg. 1 para.3)

printer means for printing a transparent label using a printer connected to the computer system, the transparent label containing the license expiration date, vehicle identification number and information required by regulatory agencies;

(Ref. A discloses printer means for printing a transparent label using a printer connected to the computer system, and the transparent label containing the license expiration date) (Ref. A pg.1 para. 3).

Ref. A does not disclose the transparent label containing vehicle identification number and information required by regulatory agencies. Curiel discloses additional information that may be inserted on a temporary license tag to include a vehicle

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identification number, make and year of the vehicle, and dealer identification (Curiel col. 2 lines 1 – 7). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the disclosure of Ref. A with the features of Curiel in order to provide a more efficient method and means for the generation of temporary vehicle license tags.

user means for securing the transparent label to a substrate using adhesive means to form an informational placard; and

(interpreted to be the application of the clear printed film to the red tag blank)(Ref. A pg.1 para. 3)

user means for positioning the informational placard on the identified vehicle.

positioning the informational placard on the identified vehicle by the user

(interpreted to be inherently disclosed, as the vehicle registration tag must be applied to the vehicle in order to be operable)(Ref. A)

14. With respect to claim 11, Ref. A discloses:

user interface for displaying a list of names of license applicants accessed from a database, a name of a license applicant being selected by the user.

(interpreted to be inherently disclosed by the teaching of the ability of the system to capture customer information (Ref. A pg. 2 para. 2)

15. With respect to claim 12, Ref. A discloses:

User interface for displaying a list of names of licensing agents accessed from a database, a name of a licensing agent being selected by the user.

(interpreted to be a participating dealership logging into a password protected application on the internet to output clear printed film)(Ref. A pg. 1 para. 3).

16. With respect to claim 14, Ref. A does not disclose:

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information required on informational placards by regulatory agencies is selected from the group consisting of a license applicant's driver's permit number, licensing agent's permit number, name of vehicle dealership, vehicle dealership permit number, and location of vehicle dealership.

Curiel discloses additional information that may be inserted on a temporary license tag to include a vehicle identification number, make and year of the vehicle, and dealer identification (Curiel col. 2 lines 1 – 7). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the disclosure of Ref. A with the features of Curiel in order to provide a more efficient method and means for the generation of temporary vehicle license tags.

17. With respect to claim 15, Ref. A discloses:

printer means is selected from the group consisting of a laser printer and a thermal printer.

(interpreted to be the outputting via laser jet or ink jet print of clear printed film for application to a temporary vehicle license plate)(Ref. A pg. 1 para. 3).

18. With respect to claim 16, Curiel discloses:

substrate material selected from the group consisting of paperboard, cardboard, metal and plastic.

Ref. A inherently teaches the use of paper for temporary vehicle tags (interpreted to be the red dealer tags)(Ref. A pg. 1 para. 3). Curiel discloses that vehicle temporary registration tags may be made on paper, paperboard, plastic, metal or laminated materials or a vinyl or polyvinylchloride (Curiel col. 11 lines 7 – 12). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the disclosure of Ref. A with the features of Curiel in order to provide a more

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efficient method and means for the generation of temporary vehicle license tags that withstand weather conditions.

19. With respect to claim 17, Curiel discloses:

the substrate is imprinted with fixed information

Ref. A does not disclose that the red tag blanks may be imprinted with fixed information. Curiel does disclose the imprinting of fixed information on temporary vehicle license plates by way of teaching that temporary vehicle license plates have certain preprinted information(Curiel col. 2 lines 2 – 4). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the disclosure of Ref. A with the features of Curiel in order to provide a more efficient method and means for the generation of temporary vehicle license tags.

20. With respect to claim 18, Curiel discloses:

the transparent label is imprinted with fixed and variable information.

(interpreted to be disclosed by the printing of the expiration date of the temporary license tag on the clear film that is then applied to the red tag blank)(Ref. A pg. 1 para. 3). The claim would have been obvious because it is well known in the art at the time the invention was made that labels may contain fixed information and space upon which variable information may be printed as well. It would have been obvious to person having ordinary skill in the art at the time the invention was made to utilize a label with fixed information and then to imprint it with variable information in order to provide more efficient and economical means of printing informational placards.

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21. With respect to claim 19, Ref. A discloses:

transparent label is imprinted with variable information.

(interpreted to be disclosed by the printing of the expiration date of the temporary license tag on the clear film that is then applied to the red tag blank)(Ref. A pg. 1 para. 3)

22. With respect to claim 20, Ref. A discloses:

Information placard is selected from the group consisting of a temporary license plate and a disabled parking placard.

(Ref. A discloses a temporary license plate through the disclosure of dealer red tags)(Ref. A pg. 1 para. 3).

23. With respect to claim 21, Ref. A does not disclose the material of the formed informational placard. Curiel discloses a temporary vehicle license plate that is tamper resistant (Curiel col. 2 lines 58 – 64). Curiel goes on to disclose that vehicle temporary license plates may be made of materials that would be recognized by one of ordinary skill in the art at the time the invention was made to be durable and weather resistant (Curiel col. 11 lines 7 –12). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the disclosure of Ref. A with the features of Curiel in order to provide a more durable, tamper resistant and weather resistant method and means for the generation of temporary vehicle license tags.

24. Claims 22 – 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ref. A in view of Monroe US Pub 20020036565 (hereinafter referred to as Monroe) and further in view of Curiel US 5,913,543.

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25. With respect to claim 22, Ref. A discloses

a computer connected to a user interface, at least one database, , and a printer;
a transparent label imprinted with information by the printer; a substrate for securing the
transparent label; the transparent label being adhesively bonded to the substrate forming an
informational placard; and a vehicle for displaying the informational placard.

(Ref. A pg. 1 para. 1 – 3).

Ref. A does not disclose a barcode scanner associated therewith. Monroe discloses the scanning of VIN numbers into a database by way of a barcode scanner. (Monroe para. 0016). Monroe also teaches that using a barcode scanner to scan the barcode VIN of a vehicle reduces the likelihood of transmission error because manual transmission is not required. (Monroe para. 0016). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide the disclosure of Ref. A with the method of barcode scanning of a VIN in light of the teaching of Monroe a method of retrieving and storing VINs by way of barcode scanning reduces the likelihood of transmission error.

26. With respect to claim 23, Ref. A discloses:

the imprinted information on the transparent label is selected from the group consisting of variable information, and fixed plus variable information.

(interpreted to be disclosed by the printing of the expiration date of the temporary license tag on the clear film that is then applied to the red tag blank)(Ref. A pg. 1 para. 3). The claim would have been obvious because it is well known in the art at the time the invention was made that labels may contain fixed information and space upon which variable information may be printed as well. It would have been obvious to person having ordinary skill in the art at the time the invention was made to utilize a label with

fixed information and then to imprint it with variable information in order to provide more efficient and economical means of printing informational placards.

27. With respect to claim 24, Ref. A discloses:

The information displayed on the information placard conforms to regulatory agency requirements.

(interpreted to be inherently disclosed as the subject matter of Ref. A must conform to regulatory agency requirements in order to be operable).

28. With respect to claim 25,

the substrate contains fixed imprinted information.

Ref. A does not disclose that the red tag blanks may be imprinted with fixed information. Curiel does disclose the imprinting of fixed information on temporary vehicle license plates by way of teaching that temporary vehicle license plates have certain preprinted information (Curiel col. 2 lines 2 – 4). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the disclosure of Ref. A with the features of Curiel in order to provide a more efficient method and means for the generation of temporary vehicle license tags.

29. Claims 5 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ref. A in view of Curiel as applied to claims 1 and 10 respectively and further in view of Monroe.

30. With respect to claims 5 and 13, Ref. A does not disclose a barcode scanner associated therewith. Monroe discloses the scanning of VINs into a database by way of a barcode scanner. (Monroe para. 0016). Monroe also teaches that using a barcode


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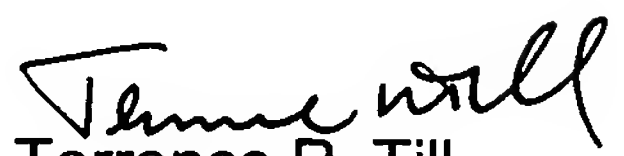
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam G. Hale whose telephone number is 571-270-3509. The examiner can normally be reached on Monday through Thursday 7:30 - 6:00 Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrence Till can be reached on 571-272-1280. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


AGH
8/16/07


Terrence R. Till
Supervisory Patent Examiner